

## § 3834.10

### Subpart B—Fee Adjustment

3834.20 Adjusting location and maintenance fees.

3834.21 How will BLM adjust the location and maintenance fees?

3834.22 How will I know that BLM has adjusted location and maintenance fees?

3834.23 When do I start paying the adjusted fees?

AUTHORITY: 43 U.S.C. 1201, 1740; 30 U.S.C. 28f; 115 Stat 414; 30 U.S.C. 242.

SOURCE: 68 FR 61073, Oct. 24, 2003, unless otherwise noted.

### Subpart A—Fee Payment

**§ 3834.10 Paying maintenance, location, and oil shale fees.**

**§ 3834.11 Which fees must I pay to maintain a mining claim or site and when do I pay them?**

(a) *All mining claims or sites (except oil shale placer claims).* Paying the maintenance fee(s) in lieu of performing assessment work satisfies the requirements of the mining law and FLPMA. See § 3830.21 for fee amounts.

(1) *Location fee and initial maintenance fee.* When you first record a mining claim or site with BLM, you must pay a location fee and an initial maintenance fee for the assessment year in which you located the mining claim or site.

(2) *Annual maintenance fee.* You must pay an annual maintenance fee on or before September 1st of each year in order to maintain a mining claim or site for the upcoming assessment year.

(b) *Oil shale placer claims.* (1) Under the Energy Policy Act of 1992, 30 U.S.C. 242, if you own an oil shale placer claim, you must pay an annual \$550 fee and file a notice of intent to hold, with the applicable service charge, each calendar year on or before December 30—

(i) If you elected to maintain an oil shale placer claim;

(ii) If you elected to apply for limited patent; or

(iii) If you filed a patent application for an oil shale placer claim but did not receive a first half final certificate on or before October 24, 1992.

(2) See part 3835 of this chapter for notice of intent to hold requirements, and the table of fees and service charges in § 3830.21 of this chapter.

## 43 CFR Ch. II (10–1–08 Edition)

(3) You need not pay the annual \$550 fee, or file a notice of intent to hold, if you filed a patent application and received a first half of the mineral entry final certificate on or before October 24, 1992.

**§ 3834.12 How will BLM know for which mining claims or sites I am paying the fees?**

When you pay any fees to BLM, you must include a list of the mining claims or sites that you are paying for by claim name, and by the BLM serial number if BLM has notified you what the serial numbers are.

**§ 3834.13 Will BLM prorate annual maintenance or oil shale fees?**

BLM will not prorate annual maintenance or oil shale fees if you hold a mining claim or site for only part of a year. You must pay the full annual fee even if you hold the claim or site for just one day in an assessment year.

**§ 3834.14 May I obtain a waiver from these fees?**

(a) No waivers are available for the initial maintenance fee or the annual \$550 oil shale fee.

(b) You may request a waiver from annual maintenance fees under certain circumstances. See part 3835 of this chapter.

### Subpart B—Fee Adjustment

**§ 3834.20 Adjusting location and maintenance fees.**

**§ 3834.21 How will BLM adjust the location and maintenance fees?**

BLM will adjust the location and maintenance fees at least every 5 years, based upon the CPI, as required by 30 U.S.C. 28j(c), or at any other time as required by other statute.

[70 FR 52030, Sept. 1, 2005]

**§ 3834.22 How will I know that BLM has adjusted location and maintenance fees?**

BLM will publish a notice in the FEDERAL REGISTER about the adjustment on or before July 1st of a given year in order to make the adjusted fees due on September 1st of the same year.